

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

JONATHAN DANIEL KUTEJ (01)

Criminal No. 4:14-CR-74-Y
ECF

GOVERNMENT'S RESPONSE OPPOSING KUTEJ'S MOTION
TO CONTINUE TRIAL

TO THE HONORABLE TERRY R. MEANS, UNITED STATES DISTRICT JUDGE:

The United States, acting by and through the undersigned Assistant United States Attorney for the Northern District of Texas, hereby submits this response opposing Kutej's Motion to Continue Trial:

Kutej has been in custody since approximately January 15, 2014. He has had, through the assistance of different counsel, the benefit of a continuance already in this case. Defense counsel has had notice since his appointment in mid-June of the September 22, 2014, trial setting. As such, the government submits the defendant has had adequate time to provide information to his counsel to prepare for trial.

However, if the Court grants the defendant's request, the government provides the following dates as conflicts:

1. The undersigned attorney is scheduled to appear in two jury trials before this Honorable Court on October 20, 2014. One of those two cases, Mark Anthony Pape, presently has a pending motion for continuance before this Court.

The government believes that case will proceed to trial; if the Court denies that continuance motion, the government anticipates it will need time to prepare for that trial.

2. Thus far among law enforcement witnesses, the Hood County investigator, who is a necessary witness for trial, has advised he will be out of town November 7, 2014.

Respectfully submitted,

SARAH R. SALDAÑA
UNITED STATES ATTORNEY

/s/ Aisha Saleem

AISHA SALEEM

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CERTIFICATE OF SERVICE

I hereby certify that on this the 8th day of September, 2014, I electronically filed the foregoing document with the clerk of court for the U.S. District Court, Northern District, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorneys of record who has consented in writing to accept this Notice as service of this document by electronic means: J. Warren St. John.

/s/ Aisha Saleem

AISHA SALEEM

Assistant United States Attorney